

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHWESTERN DIVISION**

United States of America, )  
                                )  
Plaintiff,                 )     **ORDER GRANTING UNITED STATES'**  
                                )     **MOTION FOR SUMMARY JUDGMENT**  
vs.                         )  
                                )  
Darrell J. Meidinger and )  
Arnold V. Fleck,           )     Case No: 1:04-cv-131  
                                )  
Defendants.                )

---

Before the Court is the Government's "Motion for Summary Judgment (Darrell J. Meidinger and Arnold V. Fleck)," filed on November 26, 2007. See Docket No. 16. On November 26, 2007, the Government and defendant Arnold V. Fleck entered into a stipulation in which Fleck consented to the entry of judgment. See Docket No. 17-6. The deadline to file a response to the motion for summary judgment was December 31, 2007. Defendant Darrell J. Meidinger has not filed a response as of the date of this order. Under Local Rule 7.1, the failure of an adverse party to file a brief may be deemed an admission that a motion is well-taken. Accordingly, the Court finds that the Government's Motion for Summary Judgment is well-taken. The Court **GRANTS** the Motion for Summary Judgment. (Docket No. 16.)

**IT IS SO ORDERED.**

Dated this 16th day of January, 2008.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge  
United States District Court